

ATTORNEY DOCKET NO.
45852-P001WOUS

10/583750
PATENT

AP20 Rec'd PCT/PTO 21 JUN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Phillips, Justin P. *et al.*
International App'l No: PCT/GB2004/005358
Int'l Filing Date: 21 December 2004
Serial No.: Not Yet Assigned
Filing Date:
Art Unit: Not Yet Assigned
Title: OPTICAL FIBRE CATHETER PULSE OXIMETER

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists.

Pursuant to 37 CFR §1.98 (a)(2)(ii), copies of any U.S. patents and U.S. patent application publications listed on the enclosed modified Form PTO-1449 are not provided. Copies of foreign patent documents and non-patent literature listed on the modified Form PTO-1449 are enclosed herewith.

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It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed modified Form PTO-1449 be returned indicating that such information has been considered.

No fees are believed due for the filing of the present documents; however, should any fees be due, the Commissioner is hereby authorized to charge such fees to Deposit Account No 23-2426 of WINSTEAD SECHREST & MINICK P.C.

Respectfully submitted,

Date: June 19, 2006

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Dallas_1 4430081v.2

PTO/BIB/88A 104-03

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Complete if Known

(Use as many sheets as necessary)

2

Not yet assigned

December 21, 2004

Justin P. Phillips

45852-P001WOUS

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 90/07907	07-26-1990	Neurodynamics, Inc.		
		WO 02/07592 A1	01-31-2002	Universitat Zurich		

Date
Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.**

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	Not yet assigned 10/585750
		Filing Date	December 21, 2004
		First Named Inventor	Justin P. Phillips
		Art Unit	
		Examiner Name	
Sheet 2	of 2	Attorney Docket Number 45852-P001WOUS	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		EPO, PCT International Search Report; 23 February 2005 (7 pages)	
		EPO, Written Opinion of the International Searching Authority; 23 February 2005; (7 pages)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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